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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,245	03/06/2002	John H. Wynne	MM2-114	9277

7590

08/30/2004

William L. Chapin  
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EXAMINER

FLETCHER III, WILLIAM P

ART UNIT

PAPER NUMBER

1762

DATE MAILED: 08/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

W. L. CHAPIN, ATTORNEY AT LAW FACSIMILE TRANSMITTAL FORM	
TO:	United States Patent & Trademark Office Attn: Examiner William P. Fletcher III Art Unit 1762
TEL. #	(571) 272-1419
FAX. #	(571) 273-1419
FROM:	WILLIAM L. CHAPIN Attorney at Law 16791 Sea Witch Lane Huntington Beach, California 92649, USA Tel.: (714) 625-3570 Fax.: (714) 625-3580
DATE: September 7, 2004	TIME: 10:45 AM PDT
NO. OF PAGES (Including this Cover Page): 14	
<b>IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL (714) 625-3570</b>	
COMMENTS: Dear Examiner Fletcher: I have enclosed a Correction Amendment for application serial No. <u>10/092,245</u> , filed <u>03/06/2002</u> , Applicant: <u>WYNNE, John H.</u> Cordially, William L. Chapin <b>I certify that the attached documents have been sent via telefacsimile transmission to the US. PTO at the above-listed fax number September 7, 2004</b> <i>William L. Chapin</i> <b>WILLIAM L. CHAPIN</b>	
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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04242

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please review and comply with the attached NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121).

*WPF 8/26/2004*  
William Phillip Fletcher III  
Patent Examiner  
Group Art Unit 1762



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10/092,245

Paper No. 0424-2

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 6/12/2004 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Claims 11-43 must be identified (withdrawn)!
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is **not extendable**.

✓ If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Shirley P. Beck  
Legal Instruments Examiner (LIE)

Examiner  
GAU 1762

8/26/2004  
(571) 272-1419

Telephone No.

Shirley P. Beck

SUPERVISORY PATENT EXAMINER  
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Rev. 10/03